



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 3, 1999

Leroy Dale Corey, Treasurer
Mid-America Conservative Political Action Committee
2507 Loma
Cedar Falls, IA 50613

RE: MUR 4912

Dear Mr. Corey:

On July 30, 1999, the Federal Election Commission found that there is reason to believe that the Mid-America Conservative Political Action Committee ("MACPAC") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iii), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

The Commission notes that on October 30, 1992, the U.S. District Court for the Northern District of Iowa ordered MACPAC and you to pay a \$10,000 civil penalty for failing to file several reports on time and "permanently enjoined" MACPAC and you from "failing to file timely quarterly, mid-year, year-end, and post-election reports." Under 2 U.S.C. § 437g(a)(11), "if the Commission determines after an investigation that any person has violated an order of the court entered in a proceeding brought . . . [to enforce the Act], it may petition the court for an order to hold such person in civil contempt . . ." This is to notify you that the Commission may decide to initiate civil contempt proceedings against MACPAC and you if it determines that MACPAC's and your failure to file a post-election report is a violation of the court order.

You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath. In the absence of additional information, the Commission, as stated above, may decide to initiate civil contempt proceedings against MACPAC and you.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

Mr. Leroy Dale Corey

Page 2

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have enclosed a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Lisa A. Davis, the staff member assigned to this matter, at (202) 694-1650.

Sincerely,



Scott E. Thomas
Chairman

Enclosures

Factual and Legal Analysis

Procedures

Designation of Counsel Form

FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Mid-America Conservative Political Action Committee MUR: 4912
Leroy Dale Corey, Treasurer

This matter was generated based on information ascertained by the Federal Election Commission ("the Commission") in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2).

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that all political committees other than authorized committees of a candidate shall file a post-general election report, which shall be filed no later than the 30th day after the general election and which shall be completed as of the 20th day after such general election. 2 U.S.C. § 434(a)(4)(A)(iii).

The Mid-America Conservative Political Action Committee ("MACPAC") is a political committee that is not an authorized committee of a candidate. Leroy Dale Corey is the treasurer of the Mid-America Conservative Political Action Committee.

MACPAC failed to file the 1998, 30 Day Post-General Report of Receipts and Disbursements, which covers the period from October 15, 1998 through December 3, 1998¹, within thirty calendar days from the date of the Non-Filer Notice.

The Reports Analysis Division ("RAD") notified MACPAC of the filing dates for the 1998, 30 Day Post General Report on three separate occasions by Prior Notices. The Prior Notices were mailed, respectively, to MACPAC on December 29, 1997, September 30, 1998,

¹ In addition to failing to file the 1998, 30 Day Post-General Report, MACPAC has also filed an incomplete 1998 Year-End Report. The 1998 Year-End Report was supposed to cover the period from November 24, 1998, through December 31, 1998, but MACPAC's 1998 Year-End Report only covered the period from December 4, 1998, through December 31, 1998. Therefore, it appears that MACPAC has not filed a report to disclose the financial activity from October 15, 1998, through December 3, 1998.

and November 5, 1998. All the Prior Notices informed MACPAC that the 30 Day Post General Report was due on December 3, 1998. Additionally, a Non-Filer Notice was sent to MACPAC via mailgram on December 28, 1998. To date, MACPAC has not filed its 1998, 30 Day Post-General Report.

Therefore, there is reason to believe the Mid-America Conservative Political Action Committee and Leroy Dale Corey, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(iii).